

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DELIA GRANADOS

Plaintiff,

-against-

NYS DOCCS, et al.,

Defendants.

22-CV-9222 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is proceeding *pro se*, brings this action alleging that Defendants discriminated against her by denying her visitation rights with her boyfriend at Woodbourne Correctional Facility because of an incident that occurred at Otisville Correctional Facility.<sup>1</sup> Plaintiff seeks reinstatement of her visiting privileges and money damages. For the reasons set forth below, the Court dismisses this action.

Plaintiff has previously submitted to this court a similar complaint in which she alleges that officials of the New York State Department of Corrections and Community Supervision (“DOCCS”) were depriving of her right to visit her boyfriend. She also sought in that action the reinstatement of her visiting privileges and money damages. That case is presently pending in this court under docket number 22-CV-8804. Because this complaint raises essentially the same claims, no useful purpose would be served by litigating this duplicative action.<sup>2</sup> The Court

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<sup>1</sup> Plaintiff filed this action in the United States District Court for the Eastern District of New York. On October 20, 2022, the Eastern District transferred the case to this court. (ECF 6.)

<sup>2</sup> In this complaint, Plaintiff also names as defendants Letitia James, New York State Attorney General; Anthony Annucci, Acting Commissioner of DOCCS; and David Howard, Superintendent of Woodbourne Correctional Facility, who were not listed as defendants in the pending case. If Plaintiff wishes to change the parties or claims in her existing case, she can do so by filing an amended complaint in the pending action, to the extent permitted under Rule 15 of the Federal Rules of Civil Procedure.

therefore dismisses the complaint as duplicative, without prejudice to Plaintiff's pending case under docket number 22-CV-8804.

### CONCLUSION

Plaintiff's complaint is dismissed without prejudice as duplicative of the case under docket number 22-CV-8804. All other pending matters in this case are terminated.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment in this case.

Dated: November 2, 2022  
New York, New York

/s/ Laura Taylor Swain

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LAURA TAYLOR SWAIN  
Chief United States District Judge